

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

---

In re: Bair Hugger Forced Air Warming  
Products Liability Litigation

---

MDL No. 15-2666 (JNE/DTS)

This Document Relates To:

*Rhoton, et al.*, 15-cv-4360-JNE-DTS  
*Heil*, 16-cv-1930-JNE-DTS  
*Taylor*, 17-cv-0199-JNE-DTS  
*Hylas*, 17-cv-0967-JNE-DTS  
*Bucci*, 17-cv-1073-JNE-DTS  
*Payton*, 17-cv-1222-JNE-DTS  
*Prilo*, 17-cv-1249-JNE-DTS  
*McKinney, et al.*, 17-cv-1503-JNE-DTS  
*Caruso*, 17-cv-1985-JNE-DTS  
*Hayes, et al.*, 17-cv-2572-JNE-DTS  
*Luttrell*, 17-cv-2992-JNE-DTS  
*Benson*, 17-cv-3304-JNE-DTS  
*Barker*, 17-cv-3806-JNE-DTS  
*Chapman*, 17-cv-3850-JNE-DTS  
*Renfroe*, 17-cv-3914-JNE-DTS  
*Ray*, 17-cv-4214-JNE-DTS  
*Burch*, 17-cv-4288-JNE-DTS  
*Capone*, 17-cv-5274-JNE-DTS  
*Kappmeyer*, 18-cv-00515-JNE-DTS  
*Syler*, 18-cv-0525-JNE-DTS  
*Dollard*, 18-cv-0776-JNE-DTS  
*Beard et al.*, 18-cv-0833-JNE-DTS  
*Gohl*, 18-cv-1571-JNE-DTS  
*Sahr*, 18-cv-1712-JNE-DTS  
*Hiser*, 18-cv-2289-JNE-DTS

---

**NOTICE OF HEARING ON  
DEFENDANTS' SIXTH MOTION  
TO DISMISS CASES FOR FAILURE  
TO COMPLY WITH PRETRIAL  
ORDER NO. 23 AND/OR  
FED. R. CIV. P. 25(a) AND 41(b)**

PLEASE TAKE NOTICE that the undersigned will bring Defendants' Sixth Motion to Dismiss Cases for Failure to Comply with Pretrial Order No. 23 and/or Fed. R. Civ. P. 25(a) and 41(b) for a hearing before the Honorable Judge Joan N. Ericksen, United States District Judge, in Courtroom 12W at the United States Courthouse, 300 South Fourth Street, Minneapolis, MN 55415 at the scheduled status conference on March 21, 2019 at 9:30 a.m.

This motion, based on the Memorandum in Support of Defendants' Sixth Motion to Dismiss Cases for Failure to Comply with Pretrial Order No. 23 and/or Fed. R. Civ. P. 25(a) and 41(b), Declaration of Benjamin W. Hulse, and argument to be presented at the hearing of this matter, seeks an Order of the Court dismissing the above-listed cases with prejudice.

Dated: February 7, 2019

Respectfully submitted,

/s/ Benjamin W. Hulse

Jerry W. Blackwell (MN #186867)

Benjamin W. Hulse (MN #0390952)

Mary S. Young (MN #0392781)

BLACKWELL BURKE P.A.

431 South Seventh Street, Suite 2500

Minneapolis, MN 55415

Phone: (612) 343-3248

Fax: (612) 343-3205

Email: [blackwell@blackwellburke.com](mailto:blackwell@blackwellburke.com)

[bhulse@blackwellburke.com](mailto:bhulse@blackwellburke.com)

[myoung@blackwellburke.com](mailto:myoung@blackwellburke.com)

**Counsel for Defendants 3M Company  
and Arizant Healthcare Inc.**